



Town of Jericho
Development Review Board

Town of Jericho
Development Review Board
Jericho Town Hall
Thursday, April 23, 2015

Minutes

Members Present: Barry King, Stephanie Hamilton, Wayne Hendee, Joe Flynn
Members Absent: Christopher West
Guests: Michelle Patrick (Zoning Administrator), Katherine Sonnick (Planning & Development Coordinator)
Public: Kevin Mahar, Britney Blair, Jeff Baker, Merry Baker, Nathan Catella, Shawn McCarthy, Justin Willis, Claire Gabaree, Robert Gabaree, Patrick Burke, Jean Burke, Stacey Brockmyre

MEETING AGENDA

- A request to the DRB by Jeffrey Baker for a major subdivision sketch plan review. The parcel is located at 111 Plains Road in the Rural Residential Zoning District.
- A request to the DRB by Kevin Mahar for a sketch plan review of a planned unit development at 225 Nashville Road. The parcel is located in the Village Center Zoning District.
- Minutes from April 9, 2015.

Mr. King called the public meeting to order at 7:00 p.m. He read the warning. He asked the members to disclose any conflicts of interest. Mr. King read the Interested Persons Law. The public was sworn in at 7:07 p.m.

1. A request to the DRB by Jeffrey Baker for a major subdivision sketch plan review. The parcel is located at 111 Plains Road in the Rural Residential Zoning District.

Applicant's Presentation

Justin Willis gave a presentation of the subdivision on the Applicant's behalf. Mr. Willis clarified that the application is for a minor subdivision, not a major subdivision as indicated in the public warning. This was based on the applicant's intention to provide a private driveway, not a private street. Mr. Willis discussed the following: acreage and character of the parcel, proposed subdivision acreage (3 acres, 3.6 acres, 4.3 acres), private in-ground septic, contact with wetland ecologist, necessary approval for UJFD, possible driveway design (hammerhead turnaround), building envelopes, and a proposed covenant on the homes.

Board Questions

The board discussed regulations regarding required frontage for private driveways vs. private streets. The board discussed the lot line boundary in relation to the river and the wetland for the back two lots. The applicant added clarifying points to the discussion by speaking about isolation distances

between wells and septic. Mr. King emphasized the importance of meeting the required buffer zone for the wetlands. Mr. King also asked about the proposed driveway layout, and the applicant asserted that the land is flat and drains well.

Public Comment (Board and Applicant responses in italics)

Jean Burke: Lives next door. Wants to make sure that there is shallow well and note the distance of their septic from the property line. *Applicant stated that the depression exists, but that no storm water will be discharged from the property once the property develops a retention pond. Applicant discussed the size of the building lots and stated that they are at least 200 ft. apart.*

Nathan Catella: Will the development affect the property values? *Applicant stated that he cannot answer this concern.*

Patrick Burke: Concerned about the high water table. Mr. Burke noted that there is an annual “pond” that forms when it melts, and is interested if the town will take action regarding that. Mr. Burke also questioned the rights as a property owner regarding his hedge rows and the ability of the town to preserve the state of the hedge rows along the property line. *The applicant testified that the water table is deep in the back of the lot (30-40 ft down). The applicant also stated that with the hedge row on the property line, they have no right to take it down. The applicant offered to include a covenant to protect the hedge row- a vegetative buffer that cannot be taken down. Mr. King stated that a option is to include provision can be made in the decision to include some kind of landscaping.*

Robert Gabaree: Does the first house need a 60 foot Right of Way to the driveway? *Mr. King stated that this will be established by the final hearing.*

Stacey Brockmyre: Concerned about noise from the proposed subdivision within the proximity of her dwelling. *Mr. King stated that there is a general performance standard for noise.*

2. A request to the DRB by Kevin Mahar for a sketch plan review of a planned unit development at 225 Nashville Road. The parcel is located in the Village Center Zoning District.

Joe Flynn arrived at 7:40.

Applicant's Presentation

Mr. Mahar, the applicant, explained his lot layout the proposed planned unit development: he owns 10.2 acres and is hoping to build an additional primary dwelling on his property for his parents. The applicant noted that he had considered building an accessory structure but it was too small for his liking, so is opting to use a PUD in order to put two principal structures on one lot.

Mr. King questioned the applicability of the PUD based on density requirements. Staff responded citing section 10.13.8, which would allow the applicant to apply for a density bonus, allowing a 50% increase in approved dwelling units. Mr. Hendee stated that the applicant could apply for a 10.13.8 (a) which would allow the applicant to increase the total number of approved dwelling units by up to 100%. This matter was discussed thoroughly. The board stated that if the Applicant chooses to pursue this route, the residents and all future residents would need to meet the definition of qualifying for

affordable housing, and there will need to include a covenant on the deed maintaining this dwelling as affordable housing. The applicant and the board discussed the future of the PUD and whether it would be possible to subdivide off the proposed dwelling as a footprint lot. Mr. King clarified that the applicant must meet the Chittenden county affordable housing qualifications, and language must be developed which supports this.

The river overlay district and the flood hazard zone was discussed in depth. Staff clarified that the river overlay district maps for the state and the town have different delineations (based on different mapping methodologies), but the town maps are what need to be followed. Applicant and board discussed whether or not to move the building envelope outside of the river overlay district, and the applicant stated that this was an option. Applicant noted that he wanted to appease his abutting neighbors by not constructing the dwelling within their view of Bolton Mountain.

Mr. Flynn noted that the applicant needed a boundary survey in order to present a full PUD to the board: there needs to be data to support the application.

Public Comment

No public comment.

3. Approval of meeting minutes from 04/09/2015.

On a motion by Ms. Hamilton, seconded by Mr. Hendee, the DRB unanimously approved the minutes from April 9, 2015 as amended.

The Development Review Board adjourned and entered deliberative session at 8:30 p.m.